

# UNITED STATES DISTRICT COURT

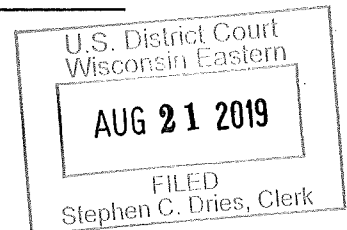
for the  
EASTERN DISTRICT OF WISCONSIN

In the Matter of the Search of

Case Number:

19 M-726

A USPS Priority Mail parcel with tracking number 9505 5100 4900 9227 3770 38 addressed to "Ryan Johnson, 49 W 11th St, Fond du Lac, WI 54935, U.S.A" with a return address of "Micheal Jones, 6262 W Cedarwood Ave, Las Vegas, NV 89103, U.S.A."



## APPLICATION & AFFIDAVIT FOR SEARCH WARRANT

I, Matt Schmitz, a federal law enforcement officer, request a search warrant and state under penalty of perjury that I have reason to believe that on the following person or property:

A USPS Priority Mail parcel with tracking number 9505 5100 4900 9227 3770 38 addressed to "Ryan Johnson, 49 W 11th St, Fond du Lac, WI 54935, U.S.A" with a return address of "Micheal Jones, 6262 W Cedarwood Ave, Las Vegas, NV 89103, U.S.A."

currently located in the Eastern District of Wisconsin there is now concealed: Please see attached affidavit, which is hereby incorporated by reference.

The basis for the search warrant under Fed. R. Crim. P. 41(c) is which is (check one or more):

- ☒ evidence of a crime;
- ☒ contraband, fruits of a crime, or other items illegally possessed;
- ☐ property designed for use, intended for use, or used in committing a crime;
- ☐ a person to be arrested or a person who is unlawfully restrained.

The search is related to a violation of:

Title 21, United States Code, Sections 841(a)(1) and 843(b).

The application is based on these facts:

- ☒ Continued on the attached sheet, which is incorporated by reference.
- ☐ Delayed notice of \_\_\_ days (give exact ending date if more than 30 days: \_\_\_\_\_) is requested under 18 U.S.C. § 3103a, the basis of which is set forth on the attached sheet.

Sworn to before me, and signed in my presence.

Date August 21, 2019

City and state: Green Bay, Wisconsin

Applicant's signature  
Name and Title: Matt Schmitz, U.S. Postal Inspector

Judge's signature  
THE HONORABLE JAMES R. SICKEL  
United States Magistrate Judge  
Name & Title of Judicial Officer

## AFFIDAVIT

Matt Schmitz, United States Postal Inspector, being duly sworn, states the following information was developed from his personal knowledge and from information furnished to him by other law enforcement agents and professional contacts:

### I. INTRODUCTION

1. I have been employed by the United States Postal Inspection Service for approximately 15 years and was previously employed as a Police Officer with the City of Middleton (WI) and City of Janesville (WI) Police Departments for a total of six years. As part of my duties as a Postal Inspector, I investigate the use of the U. S. Mails to illegally send and receive controlled substances and drug trafficking instrumentalities. I have participated in investigations which have resulted in the arrest of individuals who have received and distributed controlled substances using the U.S. Mail, as well as the seizure of the illegal drugs and proceeds from the sale of those illegal drugs. My training and experience includes identifying packages with characteristics indicative of criminal activity, namely, the distribution of controlled substances.

### II. PARCEL TO BE SEARCHED

2. This affidavit is submitted in support of an application for a search warrant for a 12 inch by 6 inch by 12 inch U.S. Postal Service (USPS) Priority Mail parcel with tracking number 9505 5100 4900 9227 3770 38, mailed on August 15, 2019, from Las Vegas, NV zip code 89103. This parcel bears handwritten addressee and return address information. The parcel is addressed to "Ryan Johnson, 49 W 11<sup>th</sup> St, Fond du Lac, WI 54935, U.S.A" and bears a return address of "Micheal Jones, 6262 W Cedarwood Ave, Las Vegas, NV 89103, U.S.A." The parcel weighs approximately 12 pounds, 9 ounces, exhibits postage in the amount of \$19.95, and is hereinafter referred to as "SUBJECT PARCEL."

### III. INVESTIGATION

3. On August 17, 2019, the Fond du Lac, WI Post Office reported they received for delivery to a Fond du Lac, WI address a Priority Mail parcel that had been damaged during normal mail processing which caused a hold in the


side of the parcel. The Fond du Lac Post Office reported they saw through this hole a container with printing that read "high potency solvent free distillate lab tested organic." I have participated in over 250 investigations involving the distribution of controlled substances, specifically, marijuana. I have personally executed federal search warrants on parcels that contained THC vape containers or "carts." Based upon my investigative experience "carts" have become a popular alternative to marijuana leaf or "bud" because the THC distillate contained inside the vaping container often has a high potency (90% or more), the container is small and not easily recognized by law enforcement as containing a controlled substance, and demands a retail street value of between \$30-\$40 each. Based upon my investigative experience, many of the carts I have seized were contained inside packaging with printing that read, "high potency solvent free distillate lab tested organic." Based upon these observations I directed the Fond du Lac Post Office to send this parcel to me at the U.S. Postal Inspection Service office in Oneida, WI, in the Eastern District of Wisconsin.

4. On August 19, 2019, I received the above described parcel at the U.S. Postal Inspection Service Office in Oneida, WI and saw it exhibited tracking number of 9505 5100 4900 9227 3770 38 (SUBJECT PARCEL), was addressed to "Ryan Johnson, 49 W 11th St, Fond du Lac, WI 54935, U.S.A.," and bore a return address of "Micheal Jones, 6262 W Cedarwood Ave, Las Vegas, NV 89103, U.S.A." I saw the side of the parcel had a hole through which I saw a green colored container that had printing which read, "high potency solvent free distillate lab tested organic." For reasons previously identified in this affidavit I identified this printing from THC vape containers I have seized in previous investigations.
5. On August 21, 2019, I queried the CLEAR law enforcement search engine for information on the SUBJECT PARCEL's return address and learned that no one with the last name of Jones was known to have been associated with 6262 W Cedarwood Ave in Las Vegas, NV 89103. I have learned from my training and

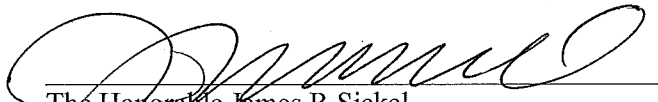
investigative experience that individuals mailing controlled substances commonly use fictitious return address names in an attempt to avoid identification as the source or sender of the controlled substances.

6. On August 21, 2019, I contacted Wisconsin State Trooper and K-9 Officer Ioan A Trofin who agreed to assist in presenting the SUBJECT PARCEL to a dog sniff. Trooper Trofin is a trained handler of a certified drug detection dog named "Cirrus." Trooper Trofin explained that Cirrus is trained in detecting the presence of marijuana, cocaine, heroin, and methamphetamine, and was last certified in detecting controlled substances in May of 2019. Consistent with Trooper Trofin's training, experience, and direction, I placed the SUBJECT PARCEL on a chair in the conference room of the Drug Enforcement Administration in Green Bay. Trooper Trofin did not see where I placed the SUBJECT PARCEL. Cirrus examined the conference room and Trooper Trofin said Cirrus alerted to the odor of controlled substances in a box on a chair. I identified the box Trooper Trofin was referring to as the SUBJECT PARCEL. Cirrus did not alert to the odor of controlled substances in any other area. Following the dog sniff I retained custody of the SUBJECT PARCEL and currently have it secured at the Postal Inspection Service office in Oneida, WI, in the Eastern District of Wisconsin.
7. Postal Regulation Sec. 274.31 of the United States Postal Service Administrative Support Manual states that no one may detain mail sealed against inspection, except under the following condition: A Postal Inspector acting diligently and without avoidable delay, upon reasonable suspicion, for a brief period of time, to assemble evidence sufficient to satisfy the probable cause requirement for a search warrant issued by a Federal Court.
8. For these reasons, there is probable cause to believe the SUBJECT PARCEL contains controlled substances, controlled substance paraphernalia, and/or proceeds or payment related to the sale of controlled substances. I

am seeking the issuance of a warrant to search this parcel, and the contents contained therein, for contraband and evidence of a crime, namely, possession and possession with the intent to distribute controlled substances, and use of the mails to commit a controlled substance felony, in violation of Title 21, United States Code, Sections 841(a)(1), and 843(b).

  
Matt Schmitz  
U.S. Postal Inspector

Subscribed and sworn to before me this 21 day of August, 2019.

  
The Honorable James R Sickel  
United States Magistrate Judge  
Eastern District of Wisconsin